

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: EAST-CENTRAL IOWA RURAL ELECTRIC COOPERATIVE, Complainant, vs. INTERSTATE POWER AND LIGHT COMPANY, Respondent.	DOCKET NO. SPU-04-13
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ORDER GRANTING MOTION TO DEFER FILING

(Issued August 13, 2004)

On July 21, 2004, the undersigned administrative law judge issued a procedural order and notice of hearing in this docket, in which the parties were directed to file prepared testimony and exhibits on all the issues in the case.

On August 12, 2004, Interstate Power and Light Company (IPL) filed a motion for an order directing the parties to defer the filing of evidence on the price that would be paid by East-Central Iowa Rural Electric Cooperative (East-Central) to IPL for facilities in the service areas in question pending a later procedural order, if it becomes necessary. IPL states that the motion is supported by the principle of judicial economy in that the ultimate necessity for such evidence is contingent on the decision as to which utility will serve the customers in the area in question. IPL

states the parties seek to avoid the considerable expense, inconvenience, and added complexity caused by litigating an issue that may not be necessary and that can be addressed on a stand-alone basis later if it proves to be necessary. East-Central and the Consumer Advocate Division of the Department of Justice do not object to the motion.

Ordinarily, the bifurcation of issues involving the same general situation and the same parties into separate hearings does not support the principle of judicial economy. However, due to the unique facts and issues in this case, and due to the agreement of the parties, the motion should be granted.

IT IS THEREFORE ORDERED:

1. The parties are directed to defer the filing of testimony on the issue of the price of facilities serving customers in the service areas in question as set forth in the motion filed by IPL pending a further procedural order.
2. All other provisions of the procedural order and notice of hearing issued on July 21, 2004, remain in effect.

UTILITIES BOARD

/s/ Amy L. Christensen
Amy L. Christensen
Administrative Law Judge

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

Dated at Des Moines, Iowa, this 13th day of August, 2004.